

## Message Text

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ACTION ARA-10

INFO OCT-01 ISO-00 SCA-01 L-03 H-01 DHA-02 SCS-03 SNM-02  
SS-15 SSO-00 /038 W  
-----190234Z 086824 /63  
O 182130Z JAN 77  
FM AMEMBASSY LA PAZ  
TO SECSTATE WASHDC IMMEDIAGE 3817

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STADIS////////////////////////////////

FOR DEPUTY ASSISTANT SECRETARY LUERS

E.O. 11652: N/A  
TAGS: CASC, BL  
SUBJECT: AMERICAN PRISONERS IN BOLIVIA

REF: STATE 11286

1. FOLLOWING ARE COMMENTS WE HAVE ON THE PROPOSED VISIT  
OF A DEPARTMENTAL TEAM TO LA PAZ TO INVESTIGATE THE  
SITUATION OF US PRISONERS IN BOLIVIAN JAILS. WE WILL  
NOT REPEAT IN THIS MESSAGE COMMENTS MADE IN LA PAZ 434  
IN RESPONSE TO STATE 7738 WHICH DOES CONTAIN OBSERVATIONS  
WORTHY OF CONSIDERATION IN CONNECTION WITH THE TEAM VISIT.

2. I CONCUR IN THE VISIT OF THE TEAM TO BOLIVIA TO MAKE  
A MORE DETAILED STUDY OF INDIVIDUAL PRISONER CASES. IT  
APPEARS OBVIOUS THAT THE VISIT NEEDS TO BE SCHEDULED SOON  
BECAUSE OF THE PRESSURES YOU ARE FACING ON THIS ISSUE. IF  
CIRCUMSTANCES WERE DIFFERENT I MIGHT HAVE SUGGESTED, WHICH I  
DO NOT, THAT WE AWAIT ACTION BY THE MINISTER OF INTERIOR  
ALONG THE LINES REPORTED IN EARLIER CABLES AND FOR THE  
JUDICIAL SYSTEM TO BECOME ORIENTED TO THE NEW NARCOTICS  
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LAW. HOWEVER, I DO THINK THAT THREE OR FOUR DAYS IS  
INSUFFICIENT TO ACCOMPLISH THE OBJECTIVES DESCRIBED. THERE  
ARE NOW 26 PRISONERS IN LA PAZ, FIVE IN SANTA CRUZ, AND THREE  
IN COCHABAMBA. TO INVESTIGATE EACH OF THE CASES STRIKES ME AS  
REQUIRING MORE TIME.

3. AS TO HOW BEST TO HANDLE THE VISIT WITHIN THE GOB, I

BELIEVE THAT WE WILL NEED TO HAVE THE AUTHORIZATION OF THE MINISTER OF INTERIOR FOR THE TEAM TO VISIT AND CONDUCT ITS INVESTIGATION, AS WELL AS HIS COOPERATION. AS THE DEPARTMENT KNOWS, HE IS NOT YET BACK IN LA PAZ FROM A VISIT TO THE US. I RECOMMEND THAT I BE AUTHORIZED TO CALL ON HIM AND DESCRIBE THE COMPOSITION OF THE TEAM, THE PURPOSE OF THE VISIT, AND OTHER IMPORTANT ITEMS WHICH I SHALL TOUCH ON BELOW. IT IS A PITY THAT ARA WAS UNABLE TO DISCUSS THIS SUBJECT AND THE POSSIBLE TEAM VISIT WITH THE MINISTER OF INTERIOR WHEN HE WAS IN THE DEPARTMENT OF STATE THE AFTERNOON OF JANUARY 13. NEVERTHELESS, HE MUST BE BRIEFED IN DETAIL AND THE VISIT MUST AWAIT HIS AUTHORIZATION, IN MY JUDGEMENT. FURTHERMORE, I BELIEVE THAT A NOTE OR AIDE MEMOIRE SHOULD BE LEFT WITH A SENIOR OFFICIAL IN THE MINISTRY OF FOREIGN AFFAIRS OUTLINING THE VISIT AND THE COMPOSITION OF THE TEAM. IN ADDITION, THE TEAM LEADER (AND I HOPE ONE WILL BE NAMED) SHOULD CALL ON AMBASSADOR CRESPO IN WASHINGTON AND BRIEF HIM ON THE VISIT. I FURTHER SUGGEST THAT THE TEAM LEADER OR A SENIOR MEMBER OF THE TEAM FROM THE DEPARTMENT COME A FEW DAYS IN ADVANCE TO HELP ARRANGE FOR THE VISIT SO THAT WHEN THE FULL TEAM IS PRESENT ITS WORK WILL BE EXPEDITED.

4. I SHOULD NOTE THAT A FEW OF THE PRISONERS HAVE NOT AUTHORIZED INFORMATION ON THEIR CASES TO BE DIVULGED TO OTHERS UNDER THE CONDITIONS OF THE PRIVACY ACT. WHETHER THEY WILL WISH TO COOPERATE WITH THE TEAM IS A MATTER FOR THEM TO DECIDE.

5. WITH REGARD TO THE "CONDITIONS" OF THE PARENTS' COMMITTEE, LIMITED OFFICIAL USE

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WE LEAVE TO THE DEPARTMENT THE DECISION AS TO WHETHER EMBASSY PERSONNEL WILL OR WILL NOT BE PRESENT WHEN THE PRISONERS ARE INTERVIEWED. WHAT WE WOULD LIKE TO ENSURE IS THAT EMBASSY PERSONNEL HAVE A CHANCE TO CLARIFY OR REBUT ALLEGATIONS FROM THE PRISONERS MADE TO THE TEAM BEFORE THE TEAM DEPARTS.

6. IF THE TEAM CAN CONCENTRATE ON AN ATTEMPT TO ENCOURAGE THE BOLIVIAN AUTHORITIES TO ACCELERATE THE JUDICIAL DETERMINATIONS UNDER THE NEW LAW, WE THINK THE VISIT CAN BE OF POSITIVE BENEFIT TO THE PRISONERS. SINCE THE NEW LAW HAS ONLY RECENTLY BEEN ENACTED AND SEVERAL PRISONERS AND THEIR ATTORNEYS HAVE SOUGHT TO DELAY CONSIDERATION OF THEIR CASES UNTIL IT WAS ENACTED, WE BELIEVE THAT THE TEAM WOULD BE WELL ADVISED TO CONCENTRATE ON THE FUTURE RATHER THAN ON THE PAST. IN CONNECTION WITH THE PROPOSAL THAT THE PARENTS DELEGATION MAY MAKE TO AMBASSADOR CRESPO FOR A UNILATERAL DECISION TO DEPORT ALL OF THE AMERICAN PRISONERS TO THE US, I WOULD APPRECIATE BEING ADVISED WHETHER I AM AUTHORIZED TO

RAISE THIS WITH THE MINISTER OF INTERIOR. SINCE ONE PRISONER HAS BEEN CONVICTED AND IS SERVING A LENGTHY SENTENCE, IT WOULD SEEM UNLIKELY THAT HE COULD BE DEPORTED. IN PREVIOUS CONVERSATIONS WITH THE MINISTER OF INTERIOR HE HAS EXPRESSED HIMSELF MOST RELUCTANT, IF NOT LEGALLY PROHIBITED FROM RELEASING PRISONERS UNDERGOING JUDICIAL PROCESS FOR TRANSFER TO OTHER JURISDICTIONS.

7. WE WOULD APPRECIATE DEPARTMENTAL GUIDANCE ON PUBLICITY ABOUT THE TEAM'S VISIT AND WHETHER ANY GROUND RULES WILL APPLY TO THE MEMBERS OF THE TEAM IN TALKING WITH NEWS MEDIA IN THE US, BEFORE AND AFTER THE VISIT, AND IN BOLIVIA. I THINK THAT HE WOULD BE PERSUADED TO BE MORE COOPERATIVE IF THE TEAM WERE TO COMMIT ITSELF TO NO PUBLICITY.

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ACTION ARA-10

INFO OCT-01 ISO-00 SCA-01 L-03 H-01 DHA-02 SCS-03 SNM-02  
SS-15 SSO-00 /038 W  
-----190235Z 088539 /63  
O 182130Z JAN 77  
FM AMEMBASSY LA PAZ  
TO SECSTATE WASHDC IMMEDIATE 3818

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FOR DEPUTY ASSISTANT SECRETARY LUERS

8. WE WOULD APPRECIATE HAVING A WRITTEN STATEMENT FROM THE DEPARTMENT ABOUT THE OBJECTIVES OF THE TEAM, ITS SCOPE OF WORK, AND ITS COMPOSITION, WHICH WE COULD TRANSMIT TO THE MINISTRIES OF INTERIOR AND FOREIGN AFFAIRS. IN THAT DOCUMENT IT MIGHT BE SPELLED OUT JUST WHOM THE TEAM WILL WISH TO INTERVIEW IN BOLIVIA. THERE ARE SOME INDIVIDUALS WITH NO OFFICIAL STANDING WHO HAVE INTERESTED THEMSELVES IN THE AMERICAN PRISONERS WHO MAY WISH TO PRESENT THEIR VIEWS AND WHOSE ATTITUDES HAVE PROVEN SOMEWHAT TROUBLESOME TO OUR STAFF. IT WILL BE HELPFUL TO KNOW WHETHER THE TEAM WISHES TO INTERVIEW SUCH PEOPLE. IF THE TEAM INTENDS TO CALL ON JUDGES, WE SHOULD BE INFORMED IN ADVANCE SO THAT WE CAN TELL THEM.

9. IT IS QUITE OBVIOUS, OF COURSE, THAT CONGRESSMEN AMBRO OF NEW YORK IS NOT PROPERLY INFORMED ABOUT THE BOLIVIAN SITUATION BECAUSE HIS ALLEGATIONS ARE NOT CORRECT THAT BOLIVIA COOPERATES IN DRUG CONTROL TO RECEIVE FOREIGN AID AND ARRESTS US CITIZENS TO ESTABLISH A RECORD OF COOPERATION WITH US. WHILE THE EXACT PRISONER POPULATION ON DRUG CHARGES IS NOT IMMEDIATELY AVAILABLE, IT INCLUDES MANY MORE BOLIVIANS THAN AMERICANS AND SEVERAL OTHER LATIN AMERICANS AND EUROPEANS. WHILE IT IS NOT THE EMBASSY'S FUNCTION LIMITED OFFICIAL USE

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TO PASS ON THE INNOCENCE OR GUILT OF PRISONERS, IT SHOULD BE NOTED THAT THE POLICE AND THE FISCALES DO BELIEVE THAT IN EACH CASE THERE IS A BASIS FOR UNDERTAKING JUDICIAL PROCEEDINGS.

10. WE WISH TO ASSURE THE DEPARTMENT THAT ALL ELEMENTS OF THIS MISSION WILL MAKE THEMSELVES AVAILABLE TO THE TEAM TO ENSURE IN ANY WAY IT CAN THAT ITS MISSION IS SUCCESSFULLY CARRIED OUT. SINCE IT MAY TAKE A FEW DAYS TO CONTACT THE MINISTER OF INTERIOR UPON HIS RETURN, AND SINCE HE MAY NEED TO CONSULT THE PRESIDENT BEFORE RESPONDING TO THE PROPOSAL, IT SEEMS NECESSARY THAT WE HAVE PROMPT INSTRUCTIONS FROM THE DEPARTMENT.

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